

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-329-T - ORDER NO. 2006-397

JUNE 29, 2006

IN RE: Application of H & F Transfer, Inc. (n/k/a H)	ORDER GRANTING
& F Transfer, Inc. d/b/a Palmetto Specialty)	REQUEST FOR LEAVE
Transfer) for a Class E (Household Goods))	TO TAKE DEPOSITION
Certificate of Public Convenience and)	
Necessity to Transport Household Goods.		

This matter comes before the Public Service Commission of South Carolina (the "Commission") on the request of H & F Transfer, Inc. d/b/a Palmetto Specialty Transfer ("H & F" or "Applicant") for leave to take the deposition of a witness pertaining to H & F's Application to Amend Class E Certificate of Public Convenience and Necessity. The Applicant seeks to amend its Class E Certificate by an expansion to H & F's scope of authority from between points and places in Richland, Lexington, and Aiken Counties, South Carolina to between points and places in South Carolina.

By correspondence dated June 22, 2006, H & F, through its counsel, requests leave to take the testimony of a witness regarding H & F's Application via deposition. The witness who H & F desires to be deposed is a shipper witness for the Applicant. H & F asserts that allowing this witness to testify via deposition and in lieu of an appearance at the hearing in this case will accommodate the witness' very busy schedule. The fact that H & F seeks to establish by this deposition, according to H & F, is that there is a statewide demand for household goods moving services that is not presently being met. H

& F adds that counsel for the South Carolina Office of Regulatory Staff does not object to this request.

H & F states that the deposition will take place at a time mutually agreed upon by the parties to the proceeding, via telephone or otherwise, at the offices of Ellis, Lawhorne & Sims, P.A., 1501 Main Street, 5th Floor, Columbia, South Carolina.

26 S. C. Ann. Regs. 103-133 provides that an application for a Certificate of Public Convenience and Necessity or to amend a Certificate of Public Convenience and Necessity to operate as a carrier of household goods by motor vehicle may be approved, among other criteria, upon a showing that public convenience and necessity are not already being served in the territory by existing authorized service. The public convenience and necessity criterion must be shown by the use of shipper witnesses.

26 S. C. Ann. Regs. 103-852 provides that any party of record to a proceeding may, by written request, ask the Commission for leave to take the testimony of any witness by deposition. The request shall set forth the facts the requesting party seeks to establish by the deposition. Such written request shall be filed with the Commission at least 10 days prior to the commencement of the scheduled hearing. The requesting party shall give notice by providing a copy of the written request to each party of record to the proceeding. If the Commission deems the request meritorious, it may issue an Order designating the individual whose deposition may be taken.

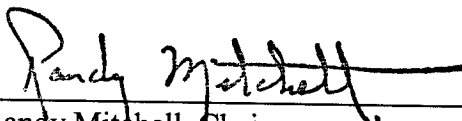
Upon consideration of the request H & F for leave to take deposition, the Commission hereby grants the request. We find that H & F has satisfied the requirements of 26 S. C. Ann. Regs. 103-852. Although, the Applicant does not cite the specific

scheduling problem creating the need to take deposition of the shipper witness in lieu of the witness' appearance, the Commission understands the difficulty that may be encountered in an applicant's ability to secure the appearance of a shipper witness.

IT IS THEREFORE ORDERED THAT:

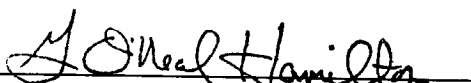
1. The request for leave to take deposition filed by H & F Transfer, Inc. d/b/a Palmetto Specialty Transfer is hereby granted.
2. H & F Transfer, Inc. d/b/a Palmetto Specialty Transfer shall take deposition of the shipper witness in lieu of the shipper witness's appearance.
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)